



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: March 3, 2009

CBCA 582, 1195

CHARLES ENGINEERING CO.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

J. Michael Littlejohn and Pavan I. Khoobchandani of Akerman Senterfitt Wickwire Gavin, Vienna, VA, counsel for Appellant.

Tracy Downing, Office of the General Counsel, Department of Veterans Affairs, Augusta, GA; and Charlma J. Quarles and Phillipa L. Anderson, Office of the General Counsel, Department of Veterans Affairs, Washington, DC, counsel for Respondent.

SHERIDAN, Board Judge.

ORDER

On February 26, 2009, the parties forwarded to the Board a joint motion requesting that the Board dismiss the above-captioned appeals with prejudice pursuant to the terms of their settlement agreement dated January 13, 2009. The parties requested that the Board's order state the following: "As part of the settlement agreement between the parties, the [Department of Veterans Affairs] has agreed to change the past performance evaluation to reflect a SATISFACTORY rating."

Accordingly, these appeals are **DISMISSED WITH PREJUDICE**.

PATRICIA J. SHERIDAN
Board Judge